



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/118,101	07/17/96	LEE	01-10-1807-1000

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333 MARLE GWINNETT BLVD  
UNIONDALE NY 11551

WM41/0226

EXAMINER

BERRY, E

ART UNIT	PAPER NUMBER
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2681

10

DATE MAILED:

02/11/97

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Advisory Action

Application No.  
**09/118,100**

Applicant(s)  
**Lee**

Examiner  
**Erika A. Gary**

Group Art Unit  
**2681**



THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☐ expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on \_\_\_\_\_ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

**Applicant's response to the final rejection, filed on Feb 9, 2001 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:**

☒ The proposed amendment(s):

- ☒ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- ☐ will not be entered because:
- ☐ they raise new issues that would require further consideration and/or search. (See note below).
  - ☐ they raise the issue of new matter. (See note below).
  - ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

- ☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

- ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:

please see attached action

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-3, 5-9, 11, and 12

- ☐ The proposed drawing correction filed on \_\_\_\_\_ ☐ has ☐ has not been approved by the Examiner.
- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Other

Art Unit: 2681

## **RESPONSE TO AMENDMENT AFTER FINAL**

### ***Response to Arguments***

1. Applicant's arguments filed February 9, 2001 have been fully considered but they are not persuasive.

Applicant argues that the references used in the previous rejection do not teach automatically adjusting the apparatus to enable the correct local time of a selected city to be displayed without user intervention. However, as claimed, the Examiner believes the limitations to be taught by the applied references. The claims do not state that the time is calculated automatically without user intervention. Furthermore, the claims imply that user intervention is necessary by the "means for selecting at least one of said plurality of cities" and "displaying a list....of cities and scrolling through said list to select a desired one". Dependent claims 3 and 9, which state that the reference time is set by a user should be deleted as the corresponding independent claims state that the reference time is acquired from a signal received from a remote system.

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika Gary whose telephone number is (703) 308-0123. The examiner can

Art Unit: 2681

normally be reached on Monday-Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703)308-6306 or (703) 308-6296, for formal communication intended for entry (and for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive Arlington, VA., Sixth Floor (Receptionist).

Erika Gary



February 23, 2001



**DWAYNE BOST**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**